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2 margarita can in this hand and I asked the  
3 individual for his ID.

4 Q. At that time, it was just  
5 Mr. Graham and you and Officer Scalzo?

6 A. Yes.

7 Q. Did there come a point in time  
8 when other individuals arrived at your  
9 location?

10 A. Yes.

11 Q. About how long would it have  
12 been from when you asked him for his  
13 identification to when these other  
14 individuals approached?

15 A. Anywhere between 30 seconds  
16 until a minute.

17 Q. And were you able to ascertain  
18 where these individuals were coming from as  
19 they approached you?

20 A. No, I don't recall at the time.  
21 My concern was with the individual. I  
22 don't recall where they came from, no.

23 Q. Did Mr. Graham comply with your  
24 directive?

25 A. He was about to until the

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2 Murphy.

3 Q. How did you get out of the car?

4 Did you get out slowly, jump out of the  
5 car? How did you get out?

6 A. I got out slowly.

7 Q. And when you pulled your  
8 vehicle to a halt and you got out, what, if  
9 anything, did you observe Mr. Graham do?

10 A. Still talking on his phone.

11 Q. And you were in uniform, right?

12 A. Yes.

13 Q. And Mr. Graham still had the  
14 phone in his left hand and he had the  
15 container in his right?

16 MS. BYRNS: Objection.

17 A. I don't recall what hand he had  
18 each object in, but yes, he did have a cell  
19 phone in one hand and the can in the other.

20 Q. And what, if anything, did you  
21 do when you got out of the car?

22 A. I had asked the individual if  
23 he would please get off his phone and I  
24 asked him what he had in his hand and he  
25 stated to me that he had a Bud Light

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2 A. We observed that when the two  
3 individuals were fighting, that an elderly  
4 woman had tried to break it up herself and  
5 she had gotten hit to the floor, to the  
6 ground.

7 Q. You saw an elderly woman there?

8 A. Yes.

9 Q. When for the first time did you  
10 see the elderly woman?

11 A. She had came up to myself and  
12 my sergeant at the time that I was writing  
13 defendant Graham a summons.

14 Q. So at some point in time this  
15 elderly woman had come to where you were  
16 engaged in issuing the summons to Graham?

17 A. Yes.

18 Q. So it was three women and then  
19 she came?

20 A. At a later time, yes.

21 Q. So it was four?

22 A. At the time, yes.

23 Q. Did you later learn her name?

24 A. No.

25 Q. What, if anything, did she say

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2 were you still engaged in conversations  
3 with Sergeant Brushnivsky?

4 A. Yes, we were still outside of  
5 our patrol cars, yes.

6 Q. And what, if anything, did you  
7 do after that period of time that you  
8 described? What actions did you take, if  
9 any?

10 A. We had approached the group.

11 Q. So you walked in the direction  
12 of where the women were engaged in this  
13 fight?

14 A. Yes.

15 Q. And what was your intent as you  
16 walked towards the fighting women?

17 MS. BYRNS: Objection.

18 A. To break up the fight.

19 Q. And who was with you when you  
20 approached these women?

21 A. Me, Officer Murphy, Officer  
22 Scalzo, my sergeant, and his driver.

23 Q. And as you approached, what, if  
24 anything, did you observe further between  
25 the women fighting?

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2 when she came up to the group that you  
3 described?

4 A. She was just asking us exactly  
5 what had happened to defendant Graham and I  
6 had explained it and she had told the women  
7 that were getting in between us exactly  
8 what the officers were doing and that to  
9 let them do their job.

10 Q. And what, if anything, did they  
11 say to her?

12 A. That, I don't recall.

13 Q. And after she said that to you  
14 is when they turned and walked away?

15 A. I had issued him the summons  
16 and they all proceeded to walk toward the  
17 location of 138 Holland.

18 Q. And you indicated at some point  
19 in time she got knocked to the ground by  
20 one of those women or both of these women?

21 MS. BYRNS: Objection.

22 A. Yes.

23 Q. Do you recall which woman  
24 knocked her to the ground?

25 A. No, I don't recall.

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2 A. I had grabbed her by the leg.

3 Q. Do you recall which leg or not?

4 A. No, I don't recall.

5 Q. And you grabbed her by the leg.

6 Did you grab her by the ankle or grabbed

7 her by the leg?

8 A. I believe I grabbed her by the  
9 ankle.

10 Q. And when you grabbed her by the  
11 ankle, did she say anything or do anything  
12 when you grabbed her by the ankle?

13 A. There was so much screaming  
14 that I couldn't recall that.

15 Q. And after you grabbed her by  
16 the ankle, what did you do with her?

17 A. I had dragged her about five  
18 feet to get her out of the pile and I had  
19 placed cuffs on her and sat her down Indian  
20 style on the lawn away from the group.

21 Q. In Plaintiffs' Exhibit 11, when  
22 you took her away from the group and sat  
23 her down, was it near that white fence?

24 MS. BYRNS: Objection.

25 A. No.